

by said pins in said oblong holes,⁷ said corresponding elements pressing and fitting together when said upper part of the heel release is lifted by the user so as to join together said upper part and said lateral branches of said heel release and permits the rotation of said branches.

b4
--27. (new) Fixing system according to claim 20, wherein a return ^{not shown} spring links the upper part and the corresponding lateral branch of the heel release helping said upper part to return down to the normal ^{out} position of use when released.

--28. (new) Fixing system according to claim 27, wherein each element on the base part of the upper part of said heel release is in the form of a hook, the corresponding element of each lateral branch being a flat part.--

REMARKS

The application has been amended so as to place it in condition for allowance at the time of the next Official Action.

The Official Action objected to the specification for not including an abstract. Responsively, an abstract is attached to this amendment.

The Official Action objected to the specification for not including section headings. Responsively, the specification has been amended to include section headings.

The Official Action rejected the originally-filed claims under \$112, second paragraph, as being indefinite.

The originally-presented claims have been cancelled and replaced with new claims drafted taking into mind these formal criticisms. Accordingly, withdrawal of the indefiniteness rejection is solicited.

Applicant acknowledges with appreciation that the Official Action indicated that claims 4, 5, and 8 were directed to allowable subject matter.

The Official Action rejected claims 1-2 under \$102 as being anticipated by PARIS 5,899,483. The Official Action rejected claims 3 and 6 under \$103 as obvious over PARIS in view of GIGNOUX 6,105,993; and claim 7 over PARIS in view of QUINTANA et al. 5,947,507.

The presently-presented independent claims are believed to patentably recite the present invention.

A main feature of the fixing system according to the present invention, and as recited by the new independent claims, is that each of the branches of the heel release has a lower part located under the pin interlocking the branch to one wing of the base, the lower part being housed under the action of a spring above one part of the side extension of the heel piece or shoe.

According to the present invention, the heel release has therefore a double function; namely, a function of locking

latches and cams unlocking the system. The applied references neither teach nor suggest such a system.

In PARIS, a part 18 of a lateral branch of a heel release is located not above but under the pins 11 or 12 of the shoe. This implies the provision of the supplementary latching element 20 above the pins 11, 12, to prevent these pins 11, 12, to come out of the fixing system.

*- pins 11, 12, not true
- below pin 18
- when heel piece in position, most of lower part of 18 is above pins 11 & 12
-> satisfies ch. 5.*

As the applied reference does not teach all of the features recited, the independent claims are believed to be patentable. Accordingly, allowance of the independent claims and the claims depending therefrom is respectfully requested.

Also note that the claims as rewritten are directed to different embodiments of the present invention. Claim 9 recites the fixing system comprising a heel piece to be fixed to a shoe whereas independent claim 20 recites a fixing system comprising a shoe. Furthermore, in the independent claims the stop means are not recited preventing the shoe or heel piece from sliding in the base of the fixing system.

*- does not involve 112, 6th interpretation broadly
- not necessary - their structure would preclude sliding by its nature
- no suggestion in ref that sliding is possible.*

See that dependent claims 10/22, 12/24, and 16/28 recite further features of the invention disclosed but not presented in the original claim set.

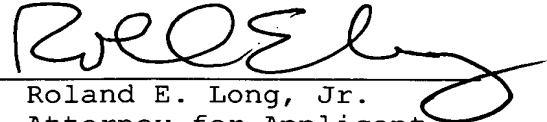
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In view of the above, applicant believes that the present application is in condition for allowance and an early indication of the same is respectfully requested.

Respectfully submitted,

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